



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

MAR 1 2016

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Mark Carter
Carter Off-Road Park
14824 Chicot Road
Mablevale, Arkansas 72103

RE: Unauthorized placement of fill material into wetlands in Pulaski and Saline Counties, Arkansas,
GIS coordinates of site general area: 34.675813, -92.471144.

Dear Mr. Carter:

The United States Environmental Protection Agency (EPA) has received referral of enforcement from the Little Rock District Corps of Engineers (COE) regarding unauthorized placement of fill material associated with development of an off road park and entertainment facility, located mostly in Pulaski County of Arkansas. The Little Rock District COE has identified you as the responsible party for these matters. EPA accepted referral of the case under terms of the Enforcement Memorandum Agreement between the two agencies.

The discharge of fill material into waters of the United States, which includes wetlands, without a permit from the COE is a violation of Section 301 of the Clean Water Act (the Act). EPA may require the removal of the unauthorized fill and/or assess penalties under Section 309 of the Act. Enforcement alternatives available to EPA include issuance of an Administrative Order to remove the fill and restore the wetlands; issuance of an Administrative Complaint requiring payment of a penalty; or issuance of both. Resolution of this matter with the EPA and the COE must also satisfy the requirements of any local ordinance. We will send a copy of this letter to the Arkansas Department of Environmental Quality to inform them of our actions.

We request that you contact Ms. Jeanene Peckham within (15) fifteen days of receipt of this letter to discuss the case, provide us with pertinent information on the fill activities, or discuss our enforcement procedures.

Sincerely yours,

Jeanene Peckham
Maria L. Martinez
Chief
Wetlands Section

Cc: Col. Courtney W. Paul
Ellen Carpenter, ADEQ

